

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

<b>JOHN AND JANE DOE NO. 1, et al.,</b>	:	<b>CASE NO. 3:22-cv-00337</b>
	:	
<b>Plaintiffs,</b>	:	<b>JUDGE MICHAEL J. NEWMAN</b>
	:	
<b>vs.</b>	:	
	:	
<b>BETHEL LOCAL SCHOOL DISTRICT BOARD OF EDUCATION, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**SECOND DECLARATION OF JULIE E. BYRNE**

I, Julie E. Byrne, declare:

1. My name is Julie Elizabeth Byrne. I am over the age of 21 and fully competent to make this declaration.
2. I have personal knowledge of all of the facts stated in this declaration, and my statements in this declaration are true and accurate to the best of my knowledge, information, and belief.
3. I am an attorney at Ashbrook Byrne Kresge LLC and in that capacity, I represent the plaintiffs in the above captioned case.
4. I provided the prior Declaration dated January 23, 2023 (Doc. 37-1).

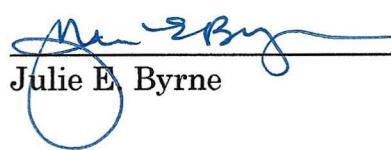
5. On or about September 13, 2022, I made a public records request to the Bethel Local School District using their online public record request form, <https://docs.google.com/forms/d/e/1FAIpQLScjHlti0f-DTut3BgKc0Quy8eJ-O-BJ3uDxDVge3O4z7l3I1A/viewform>, which is linked on the Bethel Local Schools public records requests webpage, located at <https://www.bethel.k12.oh.us/page/public-records-requests> (the “Public Records Request”).

6. On October 11, 2022, nearly a month after I originally submitted my Public Records Request, I received multiple emails from an email address [hagemant@blsk12.org](mailto:hagemant@blsk12.org) with multiple attachments. The email signature line identified the sender as Tina K. Hageman, the Treasurer/CFO of Bethel Local Schools.

7. Exhibit A is a true and correct copy of one of the attachments Ms. Hageman attached to an email to me on October 11, 2022 at 1:46 PM in response to my Public Records Request regarding the present bathroom issue; in her original email it was attached as “22.pdf.”

I declare under penalty of perjury that the foregoing is true and correct.

2/16/23  
Date

  
Julie E. Byrne

# EXHIBIT A

Re: FYI.....

kingj@blsk12.org Jacob King  
To: reesej@blsk12.org Julie Reese

Monday, December 6, 2021 at 7:14:03 PM Eastern Standard Time

Julie,

John has given his opinion on the issue to Justin and he will provide it to us tomorrow. In just legally we have to allow it. Justin can make the change internally to policy and procedures.

He will also discuss tomorrow.

Thank You,

Jacob King, President

## Board of Education

Bethel Local Schools  
Cell:937-750-8316

**NOTICE: THIS EMAIL MAY BE SUBJECT TO  
DISCLOSURE UNDER THE PUBLIC RECORD LAWS  
OF THE STATE OF OHIO**

On Dec 6, 2021, at 2:01 PM, Julie Reese <[reesej@blsk12.org](mailto:reesej@blsk12.org)> wrote:

Hey Jacob,

Can we get a final ruling from John? I was pretty unclear as to what we legally had to do or not do, because I swear he said that many cases were in the pipeline and hadn't been ruled on yet. Maybe we can cite whatever the current law is and be consistent with it?

Maybe Lydda could [REDACTED] just to get some feedback? If the students don't care (as much as the parents might), at least we could make that statement at a BoE meeting. Also, what are other schools currently doing and what do they see as the pros/cons to their policy? More info we could cite at a BoE meeting to support any policy we put in place.

I'm not sure I understand the statement about having to hold it because classes aren't near the teacher bathrooms. I can't think of anyplace in the school where you have to walk a much greater distance to get to a teacher bathroom than to a student bathroom (but maybe I am missing somewhere). I do understand the having to wait on teachers using them - [REDACTED]

On Mon, Dec 6, 2021 at 9:40 AM <[kingj@blsk12.org](mailto:kingj@blsk12.org)> wrote:

Justin,

Per our last conversation the request was:

Is this an internal operating policy that can be changed by you or the principle? Can the school just change the policy internally that students can use the restroom of chosen gender?

Does it have to be a policy approved by the board? I believe you were going to also look ask the NEOLA Rep.

If board action is needed to allow students to use bathrooms of chosen gender then please provide what that resolution should be.

Thank You,

Jacob King

## Bethel Local Schools

## Board of Education, President

Cell:937-750-8316

**NOTICE: THIS EMAIL MAY BE SUBJECT TO DISCLOSURE UNDER THE PUBLIC RECORD LAWS OF THE STATE OF OHIO.**

**From:** Justin Firks <[firksj@b1sk12.org](mailto:firksj@b1sk12.org)>  
**Sent:** Monday, December 6, 2021 9:14 AM  
**To:** Board of Education <[board@b1sk12.org](mailto:board@b1sk12.org)>  
**Subject:** FYI.....

Good Morning,

At the beginning of the school year after I sent the email below, I received a phone call from Mr. Triplett. I talked to him about how we would handle the school year this year in regards to the [REDACTED] He said that In the upcoming board meeting it was going to be discussed about bathroom usage for Transgender youth. I've never received any more info about this [REDACTED] Mr. Firks about this issue and he keeps saying it is getting discussed. I've been patiently waiting for y'all to make a decision on how this would be handled. [REDACTED] Mr. Firks said there should be a statement coming out soon. [REDACTED]

Mr. Firks said there should be a statement coming out soon.

With Bethel Pride,  
Justin M. Firks

## Bethel Local Schools

## Superintendent

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Thank you,  
Julie Reese  
Board of Education, Vice President  
512-632-9310 (cell/text)  
[reesej@bksk12.org](mailto:reesej@bksk12.org)

"Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety" -- Benjamin Franklin